

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR. and
ROSLYN WOODARD SMITH,
Individually and as Administrators of
The ESTATE OF HARRY SMITH, III,

Plaintiffs,

v.

CIVIL ACTION NO. 04-1254-GMS

CITY OF WILMINGTON,

JOHN CIRITELLA, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

THOMAS DEMPSEY, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

and

MATHEW KURTEN, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

Defendants.

**PLAINTIFFS' RE-NEWED MOTION TO FILE A RESPONSE
TO DEFENDANTS' REPLY BRIEF IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

DOCUMENT FILED UNDER SEAL

The document filed under seal is WPD policy 6.3(F).

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2006 I sent via FedEx two copies of this document to the Clerk of Court under seal and e-mailed a copy of this document to:

Attorney John Parkins E-mail Parkins@rlf.com

s/Anne T. Sulton
Anne T. Sulton
Attorney for Plaintiffs
Sulton Law Offices
Post Office Box 2763
Olympia, WA 98507
Telephone: (609) 468-6029
E-Mail: annesulton@comcast.net